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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/686,325	10/14/2003	Gary F. Bartlett	A35984-070121.0572	7244
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BAKER BOTTS L.L.P. 30 ROCKEFELLER PLAZA 44TH FLOOR NEW YORK, NY 10112-4498			EXAMINER KWIECINSKI, RYAN D	
			ART UNIT 3635	PAPER NUMBER
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/686,325

Applicant(s)

BARTLETT ET AL.

Examiner

Ryan D. Kwiecinski

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 16 November 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-32 is/are pending in the application.
- 4a) Of the above claim(s) 6-13 and 18-29 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5, 14-17 and 30-32 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Election/Restrictions***

Applicant's election with traverse of Group I in the reply filed on 16 November 2006 is acknowledged. The traversal is on the ground(s) that Figures 4A-4C are alternative views of the embodiment of Figure 3. This is not found persuasive because Figures 4A-4C are alternative embodiments of the spline member of the stile of Figure 3.

The requirement is still deemed proper and is therefore made FINAL.

Claims 1-5, 14-17, and 30-32 have been examined in this Office Action.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

**Claims 1-5 and 30-31 are rejected under 35 U.S.C. 102(b) as being anticipated by 2002/0121071 A1 to Heung-Bin.**

**Claim 1:**

Heung-Bin discloses edge construction for a door, the door having a first edge and a second edge (left and right edges of doors in Fig.3), the edge construction comprising:

a first straight edge member (10, Fig.1) forming a permanent (11, Fig.1) part of said door, and

a second straight member (20, Fig.1) disposed adjacent and exterior to one of the first (exterior the first edge, Fig.1) or second edges of said door, the second straight member being removably attached (tongue and groove, Fig.1) to said first member,

whereby said second member may be readily removed from said door and replaced with a member similar to said member. (this is a recitation of intended use of the second member and does not provide further structure to the second member/door)

**Claim 2:**

Heung-Bin discloses edge construction of claim 1 wherein said first and second members are of the same length (extend the length of the door edge, Fig.3).

**Claim 3:**

Heung-Bin discloses edge construction of claim 1 wherein said first and second members are coupled together by a tongue and groove connection (20c,20g,10a,10b, Fig.2) extending along their lengths.

**Claim 4:**

Heung-Bin discloses edge construction of claim 1 further comprising a cover (30, Fig.2) having outer edges (narrow outer edges of 30, Fig.2), said cover disposed over at least part of an outer surface (20e, Fig.2) of said second member.

**Claim 5:**

Heung-Bin discloses edge construction of claim 4 wherein said cover is removable from said member (the strip goes into the groove and may be adhered for an improved sealing effect).

**Claim 31:**

Heung-Bin discloses edge construction of claim 1, further comprising a third straight member (door edge opposite 10,20, Fig.3), wherein the second straight member is disposed adjacent and exterior to the first edge and the third straight member is disposed adjacent and exterior to the second edge (the door edge opposite 10,20, Fig.3, is located adjacent and exterior the second edge of the door) of the door.

**Claim 30:**

Heung-Bin discloses an edge construction for a door, the door having a hinged edge and a free edge, the edge construction comprising:

a first straight member forming a permanent part of said door (10, Fig.1),  
a second straight member (20, Fig.1) disposed adjacent the free edge of  
said door and removably attached (tongue and groove connection, Fig.1) to said  
first member,

whereby said second straight member may be readily removed from said  
door and replaced with a member similar to said second member. (this is a  
recitation of intended use of the second member and does not provide further  
structure to the second member/door).

**Claim 14 and 32 are rejected under 35 U.S.C. 102(e) as being anticipated by  
US 6,643,991 B1 to Moyes.**

**Claim 14:**

Moyes discloses in a rectangular door (Fig.1) having vertical and  
horizontal edges, an edge construction for a vertical edge of said door  
comprising:

a longitudinal groove (305, Fig.5B) formed in an outer surface of said  
vertical edge (305', Fig.5B),

a separate stile member (302, Fig. 5B) disposed adjacent and exterior to  
the vertical edge of said door and having a length substantially the same as said  
vertical edge and having a longitudinal spline (304, Fig.5B) formed along one  
surface thereof,

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said spline mating with said groove in said vertical edge to form a tongue-and-groove (Fig.5B) coupling between said vertical edge and said separate stile member, and

a cover member (310, Fig.5B) over an extension surface of said stile member.

**Claim 32:**

Moyes discloses the edge construction of claim 14, wherein the rectangular door has a second vertical edge (vertical member opposite 302, Fig.5B) with a groove therein and a second stile member with a spline formed along a surface thereof, wherein the spline is in mating cooperation with the groove of said second vertical edge (opposite stile member has same construction as 302, Fig.5B) .

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over US**

**6,643,991 B1 to Moyes in view of US 2002/0124497 A1 to Fortin et al.**

**Claim 15:**

Moyes discloses the door edge construction of claim 14 but does not disclose a removable fastening means releasably securing said stile member to said vertical edge.

Fortin et al. discloses a removable fastening means (52, Fig.2) releasably securing said stile member to said vertical edge.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have fastened the stile to the vertical edge by means of a releasable fastener such as a screw taught by Fortin et al. Using a screw to secure a stile in place of or in addition to the adhesive used in the door of Moyes will increase the structural integrity of the door. Using mechanical fasteners to secure stiles to cores is notoriously well known in the art.

**Claims 16-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over US 6,643,991 B1 to Moyes in view of US 3,271,919 to Olton.**

**Claim 16:**

Moyes discloses the door edge construction of claim 14 but does not disclose wherein said cover member is formed of a resilient material shaped to conform to outer contour of said stile member.

Olton discloses said cover member is formed of a resilient material (Column 5, lines 70-74) shaped to conform (Column 2, lines 70-72) to the outer contour of said stile member.



It would have been obvious to one of ordinary skill in the art at the time the invention was made to have formed the cover member out of a resilient material taught by Olton in order to allow the cover member to engage with stile members of different shapes and to better protect the stile members. A cover member that conforms to the shape of the stile will be more securely attached to the stile member.

**Claim 17:**

Moyes in view of Olton discloses the door edge construction of claim 16, Olton also discloses said cover member (14, Fig.3) is formed with inwardly extending flanges (20,21, Fig.3) along its outer edges, and the stile member has longitudinal slots (28,29, Fig.3) on either side thereof adapted to receive said flanges.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ryan D. Kwiecinski whose telephone number is (571)272-5160. The examiner can normally be reached on Monday - Friday from 8 am to 5 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Chilcot can be reached on (571)272-6777. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

  
RDK

Robert Canfield  
Primary Examiner

